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In Pro per

**STATE OF CALIFORNIA**

Energy Resources Conservation  
And Development Commission

Gary A. Ledford	)	Docket No. 97-AFC-1
	)	Supreme Court Case S089830
	)	
Petitioner,	)	NOTICE OF APPEAL
	)	(C.R.C., RULE 1)
	)	
STATE OF CALIFORNIA ENERGY	)	NOTICE RE: CLERK'S
RESOURCES AND DEVELOPMENT	)	TRANSCRIPT AND ORIGINAL
COMMISSION,	)	PAPERS
	)	[C.R.C., RULES 1 and 5]
Respondent.	)	
_____	)	

Pursuant to California Rules of Court, Rule 1, NOTICE is hereby given that Petitioner is appealing the State Energy Resources and Development Commission Decision to certify the High Desert Power Project [HDPP] [97 AFC 1] and the Commission's Order denying Petitioners Petition for Reconsideration of its Order Certifying HDPP, which was filed and served on June 21<sup>st</sup> 2000.

Petitioner hereby gives Notice to the Commission's Clerk, pursuant to Rule 4, that the original transcript of the hearing is hereby requested.

Petitioner hereby gives NOTICE to the Commission's Clerk, pursuant to Rule 5, and Public Utilities Code section 1710, that the following papers from the record in this case shall be designated as Exhibits:

1. FINAL COMMISSION DECISION - HIGH DESERT POWER PROJECT DOCKETT NO - 97 AFC 1 - DATED May 3<sup>rd</sup> 2000. Plus the following designated Exhibits:

EXHIBIT 1: Application for Certification for the High Desert Power Project Volumes I and II, dated July 1997. Sponsored by Applicant; portions admitted into evidence on September 16, September 30, and October 8, 1999.

EXHIBIT 97: Rebuttal testimony of Gary A. Ledford to the testimony of Jon Hughes re: Socioeconomic Effects, dated August 30, 1999. Sponsored by Intervenor Gary Ledford; admitted into evidence on September 30, 1999.

EXHIBIT 98: Rebuttal testimony of Gary A. Ledford to the testimony of Matthew Layton re: Project Cooling, dated August 30, 1999. Sponsored by Intervenor Gary Ledford; admitted into evidence on October 8, 1999.

EXHIBIT 99: Rebuttal testimony of Gary A. Ledford to the testimony of Linda Bond and Joseph O Hagan re: Soil and Water, dated August 30, 1999. Sponsored by Intervenor Gary Ledford; admitted into evidence on October 8, 1999.

EXHIBIT 103: Errata to Staff's Soils and Water Resources, Biological Resources, and Air Quality testimony, dated September 2, 1999. Sponsored by Staff; admitted into evidence on October 7, 1999.

EXHIBIT 109: Selected pages from the Fifth Annual Report of the Mojave Basin Area Watermaster, Water Year 1997-98, docketed as Intervenor Ledford Exhibit 125 on September 13, 1999. Sponsored by Intervenor Gary Ledford; admitted into evidence on October 8, 1999.

EXHIBIT 110: Selected pages from the Regional Water Management Plan, dated June 1994; initially docketed as Intervenor Ledford Exhibit 126 on September 15, 1999 and subsequently docketed as Ledford Exhibit 111 on September 21, 1999. Sponsored by Intervenor Gary Ledford; admitted into evidence on October 8, 1999.

EXHIBIT 111: Selected pages from the Mojave Water Agency Master Plan for the Delivery of Imported Water, dated 1990; docketed as Ledford Exhibit 112 on September 21, 1999. Sponsored by Intervenor Gary Ledford; admitted into evidence on October 8, 1999.

EXHIBIT 112: Selected pages from Respondents Opening Brief on the Merits, Supreme Court Docket No. S071728, dated October 23, 1998; submitted as Intervenor Ledford Exhibit 128 and docketed September 14, 1999. Sponsored by Intervenor Gary Ledford; admitted into evidence on October 8, 1999.

EXHIBIT 113: Graphic representation submitted as Intervenor Ledford Exhibit 130, docketed September 14, 1999. Sponsored by Intervenor Gary Ledford; admitted into evidence on October 8, 1999.

EXHIBIT 114: Selected pages from USGS Report 95-4189, dated 1996; docketed as Ledford Exhibit 115 on September 21, 1999. Sponsored by Intervenor Gary Ledford; admitted into evidence on October 8, 1999.

EXHIBIT 115: Mojave Water Agency water pricing, dated August 23, 1999. Sponsored by Intervenor Gary Ledford; admitted into evidence on October 8, 1999.

EXHIBIT 116: Selected pages from Environmental Impact Statement for Reuse of George Air Force Base, dated September 1991. Sponsored by Intervenor Gary Ledford; admitted into evidence on October 8, 1999.

EXHIBIT 117: Declaration of Norman J. Caouette in Superior Court (San Bernardino County — Central District) Case No. SCV 13868, dated October 14, 1994; docketed as Intervenor Gary Ledford Exhibit No. 136 on September 15, 1999. Sponsored by Intervenor Gary Ledford; admitted into evidence on October 8, 1999.

EXHIBIT 118: Mojave Water Agency memo of September 14, 1999 and Minutes of August 16, 1999; docketed as Ledford Exhibit 120 on September 21, 1999. Sponsored by Intervenor Gary Ledford; page 3 of Minutes admitted into evidence on September 16, 1999.

EXHIBIT 119: CURE's Preliminary Analysis of Dry Cooling for the High Desert Power Project, dated March 30, 1999. Sponsored by Intervenor Gary Ledford; authenticated by Dr. J. Phyllis Fox and admitted into evidence on September 16, 1999.

EXHIBIT 120: CURE's Well Interference Effects of High Desert Power Project's Proposed Wellfield in the Victor Valley Water District, dated October 12, 1998 and submitted October 16, 1998. Sponsored by Intervenor Gary Ledford; authenticated by Dr. J. Phyllis Fox and admitted into evidence on September 16, 1999.

EXHIBIT 121: Direct testimony of Gary Ledford on Water and related matters, dated September 14, 1999. Sponsored by Intervenor Gary Ledford; admitted into evidence on October 8, 1999.

EXHIBIT 122: Direct Testimony of Gary Ledford on Wet/Dry Cooling, etc., dated September 20, 1999. Sponsored by Intervenor Gary Ledford; admitted into evidence on October 8, 1999.

EXHIBIT 123: E-mail from Norm Caouette to Rick Buell, dated April 13, 1999 and attached unexecuted Storage Agreement, docketed September 21, 1999. Sponsored by Intervenor Gary Ledford; admitted into evidence on October 8, 1999.

EXHIBIT 124: State Water Resources Control Board Water Quality Control Policy on the Use and Disposal of Inland Waters used for Powerplant Cooling adopted June 19, 1975 and accompanying declaration dated September 13, 1999, docketed September 21, 1999. Sponsored by Intervenor Gary Ledford; admitted into evidence on October 8, 1999.

EXHIBIT 125: Selected pages from Certificates of Participation in the amount of \$26,290,000, dated May 1, 1997 and docketed September 21, 1999. Sponsored by Intervenor Gary Ledford; admitted into evidence on October 8, 1999.

EXHIBIT 126: Selected pages from Draft Issue Memo Regarding Beneficial Uses for Ground and Surface Waters within the Mojave Watershed, dated October 1994 and docketed September 21, 1999. Sponsored by Intervenor Gary Ledford; admitted in evidence on October 8, 1999.

EXHIBIT 127: Agreement for Cooperation between Mojave Water Agency and the Victor Valley Economic Development Authority, dated December 22, 1993 and accompanying declaration from Gary Ledford, dated September 18, 1999; docketed September 21, 1999. Sponsored by Intervenor Gary Ledford; admitted into evidence on October 8, 1999.

EXHIBIT 128: Declaration of Larry W. Rowe in Support of Motion for Entry of Interlocutory Decree of Judgment in Riverside Superior Court Case No. 208568, dated July 7, 1993 and docketed September 21, 1999. Sponsored by Intervenor Gary Ledford; admitted into evidence on October 8, 1999.

EXHIBIT 131: Staff's Water rebuttal testimony, Air Quality Errata, and revised Soils and Water Resources testimony, dated September 30, 1999. Sponsored by Staff; admitted into evidence on October 7, 1999.

EXHIBIT 133: Aquifer Storage and Recovery Agreement for the High Desert Power Project, dated September 28, 1999. Sponsored by Applicant; admitted into evidence on October 8, 1999.

EXHIBIT 134: Letter from Richard Buell to Larry Rowe, dated November 18, 1998, and attachments. Sponsored by Staff.

EXHIBIT 135: Notice and Minutes for a Regular Meeting of the Board of Directors of the Victor Valley Water District, dated October 5, 1999. Sponsored by Intervenor Gary Ledford; admitted into evidence on October 8, 1999.

EXHIBIT 136: Notice and Minutes of a Special Meeting of the Board of Directors of the Victor Valley Water District, dated September 28, 1999. Sponsored by Intervenor Gary Ledford; admitted into evidence on October 8, 1999.

EXHIBIT 137: Mojave Water Agency Memorandum from Norman Caouette to Planning and Resources Committee, including attachments; dated October 26, 1999. Sponsored by Staff.

EXHIBIT 138: Diagram titled Flow of Water, undated. Sponsored by Applicant; admitted into evidence on October 8, 1999.

EXHIBIT 139: Diagram titled contracts, undated. Sponsored by Applicant; admitted into evidence on October 8, 1999.

EXHIBIT 141: Conditions of Certification Water Supply and Rules Diagram, undated. Sponsored by Staff; admitted into evidence on October 8, 1999.

EXHIBIT 142: Conditions of Certification — Water Supply and Rules Chart, undated. Sponsored by Staff; admitted into evidence on October 8, 1999.

EXHIBIT 143: Applicant Motion to Reopen Proceedings for Limited Purpose including prepared testimony and materials on site control, emissions offsets, aquifer storage and recovery agreement, and dry cooling, dated January 13, 2000. Sponsored by Applicant; admitted into evidence on February 18, 2000.

EXHIBIT 144: Additional Prepared Testimony of Andy Welch, docketed on February 10, 2000. Sponsored by Applicant; admitted into evidence on February 18, 2000.

EXHIBIT 145: Aquifer Storage and Recovery Agreement, dated January 18, 2000, and docketed on February 10, 2000. Sponsored by Applicant; admitted into evidence on February 18, 2000.

EXHIBIT 146A: Staff testimony, Hearings on the High Desert Power Project on the topics of Air Quality, Dry Cooling, Site Control, and Water, dated February 10, 2000. Sponsored by Staff; admitted into evidence on February 18, 2000.

EXHIBIT 147: Letter opposing project from Lilly Ying, dated January 22, 1999. Offered by Intervenor Ledford; admission denied on February 18, 2000.

EXHIBIT 148: Opposition to Conditions, with Attachments from Gary Ledford, dated January 29, 1999. Offered by Intervenor Ledford; admission denied on February 18, 2000.

EXHIBIT 149: Data Request to Buck Johns, dated February 8, 1999. Offered by Intervenor Ledford; admission denied on February 18, 2000.

EXHIBIT 150: Sign-in sheet for February 6, 1999; docketed on February 18, 1999. Offered by Intervenor Ledford; admission denied on February 18, 2000.

EXHIBIT 151: Applicant Response to Data Requests filed by Gary Ledford, dated February 24, 1999. Offered by Intervenor Ledford; admission denied on February 18, 2000.

EXHIBIT 152: Sign-in sheet for March 2, 1999 Staff Workshop, docketed March 3, 1999. Offered by Intervenor Ledford; admission denied on February 18, 2000.

EXHIBIT 153: Document entitled Assessment of Groundwater Impacts, seven pages in length and undated, docketed on March 15, 1999. Offered by Intervenor Ledford; admission denied on February 18, 2000.

EXHIBIT 154: Single page document entitled High Desert Power Project Aquifer Testing Program Summary, undated, docketed on March 15, 1999. Offered by Intervenor Ledford; admission denied on February 18, 2000.

EXHIBIT 155: Motion for Order Directing Response filed by Gary Ledford, dated March 21, 1999. Offered by Intervenor Ledford; admission denied on February 18, 2000.

EXHIBIT 156: Letter from Gary Ledford to Richard Buell re: Water Requirements for High Desert Power Project CURE s Preliminary Dry Cooling Analysis, dated April 3, 1999. Offered by Intervenor Ledford; admission denied on February 18, 2000.

EXHIBIT 157: Prehearing Conference Statement of Gary Ledford Objecting to Proposed Conditions Relating to Water Service, dated April 7, 1999. Offered by Intervenor Ledford; admission denied on February 18, 2000.

EXHIBIT 158: Five Reports of Conversation by Staff, docketed on April 28, 1999. Offered by Intervenor Ledford; admission denied on February 18, 2000.

EXHIBIT 159: Letter to Andrew Welch from Richard Buell regarding proposed water modeling analysis, dated May 18, 1999.

Offered by Intervenor Ledford; admission denied on February 18, 2000.

EXHIBIT 160: Submission (dated May 28, 1999) of a letter to Richard Buell from Andrew Welch, dated May 26, 1999, regarding water analysis. Offered by Intervenor Ledford; admission denied on February 18, 2000.

EXHIBIT 161: Correspondence to Richard Buell from Michael Duane Davis, Esq., representing Silver Lakes Association, dated June 3, 1999. Offered by Intervenor Ledford; admission denied on February 18, 2000.

EXHIBIT 162: Correspondence to Richard Buell from Michael Duane Davis, Esq., representing Baldy Mesa Water District, dated June 3, 1999. Offered by Intervenor Ledford; admission denied on February 18, 2000.

EXHIBIT 163: Correspondence to Michael Duane Davis, Esq., from Allan Thompson, dated June 9, 1999. Offered by Intervenor Ledford; admission denied on February 18, 2000.

EXHIBIT 164: Order Denying Motion for Preparation of Environmental Impact Report, dated July 20, 1999. Offered by Intervenor Ledford; admission denied on February 18, 2000.

EXHIBIT 165: Response of HDPP to Various Gary A. Ledford Filings, dated July 20, 1999. Offered by Intervenor Ledford; admission denied on February 18, 2000.

EXHIBIT 166: Opening Brief of Gary Ledford on Water and Related Matters, dated November 3, 1999. Offered by Intervenor Ledford; admission denied on February 18, 2000.

EXHIBIT 167: Reply Brief of Gary Ledford on Water and Related Matters, dated November 16, 1999. Offered by Intervenor Ledford; admission denied on February 18, 2000.

EXHIBIT 168: Prepared Direct Testimony of Jack Beinschroth on Water and Related Matters, dated February 9, 2000. Sponsored by Intervenor Ledford; portions admitted into, and portions excluded from evidence on February 18, 2000.



EXHIBIT 169: Exhibit A to prepared testimony of Jack Beinschroth entitled Blown Up Exhibit from VVWD. Offered by Intervenor Ledford; substance contained in previously admitted Exhibit 65 and used for illustrative purposes only at February 18, 2000 hearing.

EXHIBIT 170: Exhibit B to prepared testimony of Jack Beinschroth entitled Sewage Treat Plant Pipeline. Sponsored by Intervenor Ledford; admitted into evidence on February 18, 2000.

EXHIBIT 171: Exhibit C to prepared testimony of Jack Beinschroth entitled Campaign Lies. Sponsored by Intervenor Ledford; admission denied on February 18, 2000.

EXHIBIT 172: Direct testimony of Bob Almond on Water and Related Matters, dated February 9, 2000. Sponsored by Intervenor Ledford; portions admitted into, and portions excluded from, evidence on February 18, 2000.

EXHIBIT 173: Exhibit A to direct testimony of Bob Almond relating to campaign contributions. Sponsored by Intervenor Ledford; admission denied on February 18, 2000.

EXHIBIT 174: Exhibit B to direct testimony of Bob Almond entitled Consumptive Use Study. Sponsored by Intervenor Ledford; admitted into evidence on February 18, 2000.

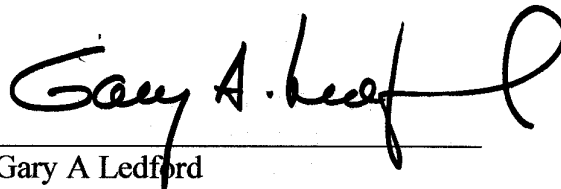
EXHIBIT 175: Prepared Supplemental Testimony of Gary Ledford on Water and Related Matters, dated February 10, 2000, and attached JPL News Release. Offered by Intervenor Ledford; admission denied on February 18, 2000.

2. PETITION FOR INTERVENTION - Dated: January 22, 1999
3. ORDER GRANTING INTERVENTION - Dated
4. PREHEARING CONFERENCE STATEMENT - Dated February 7, 1999
5. MOTION TO COMPELL THE PREPARATION OF EIR - Dated July 14, 1999

6. ORDER DENYING MOTION FOR PREPARATION OF ENVIRONMENTAL IMPACT REPORT - July 20, 1999
7. HEARING TRANSCRIPT - [RT 9/16/1999]
8. HEARING TRANSCRIPT - [RT 9/30/1999]
9. HEARING TRANSCRIPT - [RT 10/07/1999]
10. HEARING TRANSCRIPT - [RT 10-08/1999]
11. HEARING TRANSCRIPT - [RT 01/27/2000]
12. HEARING TRANSCRIPT - [RT 02/18/2000]
13. HEARING TRANSCRIPT - [RT 04/18/2000]
14. HEARING TRANSCRIPT - [RT 04/26/2000]
15. PRESIDING MEMBERS PROPOSED DECISION - DECEMBER 1999
16. ENERGY COMMISSION STAFF COMMENTS - January 14, 2000
17. PREPARED CEC STAFF TESTIMONY FOR February 18, 2000 Hearing - Dated: February 11, 2000s
18. BRIEF OF COMMISSION STAFF ON THE RESPONSIBILITY TO ANALYZE GROWTH INDUCING IMPACTS - DATED - March 7, 2000
19. REVISED PRESIDING MEMBERS PROPOSED DECISION - DATED - March 2000
20. STAFF COMMENTS ON REVISED PRESIDING MEMBERS PROPOSED DECISION. - DATED April 13, 2000
21. PETITIONERS MOTION FOR RECONSIDERATION - DATED June 2, 2000
22. STAFF RESPONSE TO PETITIONERS MOTION FOR RECONSIDERATION - DATED June 14, 2000

23. PETITIONERS RESPONSE TO STAFF Dated June 20, 2000
24. REPORTERS TRANSCRIPT OF HEARING ON MOTION FOR RECONSIDERATION - DATED June 21, 2000
25. ORDER DENYING RECONSIDERATION - DATED June 21, 2000
26. 97 AFC 2 Sutter Power Project - Final Decision DATED - April 1999

Dated: July 18, 2000

A handwritten signature in black ink, reading "Gary A. Ledford". The signature is fluid and cursive, with a large loop at the end of the last name.

Gary A Ledford  
Petitioner  
In Pro Per

Case Name: Gary A. Ledford v. Energy Resources Conservation and  
Development Commission  
Case No: S089830  
Court: California Supreme Court

### PROOF OF SERVICE

I am a citizen of the United States, over the age of 18 years, and not a party to or interested in the within cause. My business address is 11000 Apple Valley Road, Apple Valley, California 92308. On this date, I served the following documents:

### NOTICE OF APPEAL

By:

And by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States post Office mail at Sacramento, California addressed as set forth below:

General Counsel  
California Energy Commission  
1516 Ninth Street, MS-4  
Sacramento, CA 95814-5512

Victor Valley Water District  
C/o Monteleone & McCrory  
Thomas P. Mcguire, Esq.  
725 South Figueroa Street, Suite 3750  
Los Angeles, CA 90017-5402

Superior Court Clerk  
Riverside County Superior Court  
For: Hon. E. Michael Kaiser, Judge  
Post Office Box 431 - Appeals  
Riverside, CA 92502

Jess Ranch Water Company C/o  
Calvin House  
Gutierrez and Preciado  
200 South Los Robles Avenue, Suite 210  
Pasadena, CA 91101

Mojave Water Agency  
C/o Brunick, Alvarez & Battersby  
William J. Brunick, Esq.  
1839 Commercenter West  
P.O. Box 6425  
San Bernardino, CA 92412

High Desert Power Project  
C/o Allan J. Thompson Esq.  
21 "C" Orinda Way, #314  
Orinda, California 94563

I am readily familiar with the companies practice of collection and processing correspondence for mailing. Under that practice, the mailing would be deposited with the U.S. Postal Service on the same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after the date of deposit for mailing an affidavit.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on July \_\_\_\_, 2000 at Apple Valley, California

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